

## **REMARKS**

Claims 1-25 are now pending in the application. The amendments to the claims contained herein are of equivalent scope as originally filed and, thus, are not a narrowing amendment. The Examiner is respectfully requested to reconsider and withdraw the rejections in view of the amendments and remarks contained herein.

### **REJECTION UNDER 35 U.S.C. § 112**

Claims 1-8 stand rejected under 35 U.S.C. § 112, second paragraph, as being indefinite for failing to particularly point and distinctly claim the subject matter which Applicant regards as the invention. This rejection is respectfully traversed.

Applicant has amended Claim 1 to address this rejection and believes that all pending claims particularly point out and distinctly claim the subject matter of the present invention. Therefore, reconsideration and withdrawal of this rejection is respectfully requested.

### **REJECTION UNDER 35 U.S.C. § 103**

Claims 1-25 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over [www.teas.uspto.gov](http://www.teas.uspto.gov) retrieved from the Internet Archive Wayback Machine of date October 12, 1999, January 10, 2000, and February 8, 2000 (hereinafter referred to as "TEAS") in view of Lee (U.S. Pat. No. 7, 016,851) and further in view of Takano, et al. (U.S. Pat. No. 6,434,580). This rejection is respectfully traversed.

In the TEAS reference, it is clear that the TEAS system had a few problems with browser functions (see page 4/5 of the document), and employed form wizards in order

to help fill in the application form. The earlier TEAS system was effectively filling a form in electronically. There is a validation step at the user end using the TEAS system, which is similar to sending a "confirm" message. However once the "confirm" message is sent, the TEAS system does not generate an acknowledgement message back to the user, confirming the mark data, classification data and applicant data has been accepted. Thus, this is not the same as the system acknowledging that an instruction for an application has been received and accepted.

In the TEAS reference, the user may have to wait some hours before confirmation of the filing details are received. Additionally, in the TEAS system, a user can file an application for a federal trademark, and so it does not offer the user the opportunity to file a trade mark application in multiple countries, as in the present disclosure.

Furthermore, TEAS does not disclose the features of

- displaying classification data describing list of goods and services classified into a plurality of different categories
- displaying price data relating to at least one transaction price for performing a service in relation to a trade mark
- a first (user initiated) confirmation message confirming individual items of classification data, trade mark data describing a trade mark, and applicant data specifying an applicant for a trade mark
- generating a second confirmation message which acknowledges that the instructions in the first confirmation message have been accepted

as recited in the pending claims of the present application.

Takano is concerned with a patent information system internal to a corporation for passing information between inventors and a patent attorney who is drafting a patent

application. It deals with the handling of invention submission reports internally within a corporation having many inventors, and an internal patents department. Takano does not address the problems of filing trade mark applications online over a network, for example the internet, at a government office. The examiner submits that "Takano discloses an electronic filing receipt (column 25, lines 45 - 50)". Whilst Takano does disclose filing applications at a Patent Office (figure 18 Takano) that is, it discloses electronic filing of a patent specification, it does not disclose issuing a filing receipt for a trade mark application.

Moreover, Takano does not disclose the features of:

- displaying classification data describing list of goods and services classified into a plurality of different categories
- displaying price data relating to at least one transaction price for performing a service in relation to a trade mark
- a first (user initiated) confirmation message confirming individual items of classification data, trade mark data describing a trade mark, and applicant data specifying an applicant for a trade mark
- generating a second confirmation message which acknowledges that the instructions in the first confirmation message have been accepted

as recited in the pending claims of the present application.

Lee discloses an intellectual property filing portal, which corresponds with national Patent Office's directly and/or via associate firms. It allows selecting of foreign associates for a number of different countries, each associate having different fees. The portal serves up forms for different jurisdictions, and from different associates (see figure 3 Lee).

Effectively, the Lee disclosure is aimed at selecting different foreign associates.

It does not disclose the features of:

- displaying classification data describing list of goods and services classified into a plurality of different categories
- displaying price data relating to at least one transaction price for performing a service in relation to a trade mark
- a first (user initiated) confirmation message confirming individual items of classification data, trade mark data describing a trade mark, and applicant data specifying an applicant for a trade mark
- generating a second confirmation message which acknowledges that the instructions in the first confirmation message have been accepted

Concerning the specific details for filing an individual trade mark application in one or more countries, the Lee disclosure does not address the problems of enabling immediate and accurate feedback of exact trade mark applications details to a user via a user interface, so that the client can be sure of the exact scope of legal rights which are to be applied for immediately.

In contrast, the present disclosure is directed to a method of processing transaction data relating to trade marks, in which the user is presented with displayed country data, classification data for goods and services and price data and is capable of inputting individual items of classification data, data describing a trade mark, and applicant data. The user can initiate a first confirmation message confirming their input data items and in response to said user initiated confirmation message, a second confirmation (acknowledgement) message is sent to the user within a same user session. The invention has the advantage of providing an immediate acknowledgement of the acceptance of a filing instruction confirmed within a first message, within a same user

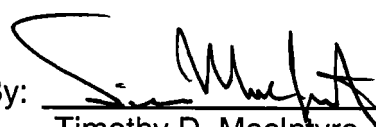
session. Pending claims have been amended to further define these differences from the cited references. Therefore, it is respectfully submitted that the pending claims define patentable subject matter over this combination of references. Accordingly, Applicant respectfully requests reconsideration and withdrawal of this rejection.

#### **CONCLUSION**

It is believed that all of the stated grounds of rejection have been properly traversed, accommodated, or rendered moot. Applicant therefore respectfully requests that the Examiner reconsider and withdraw all presently outstanding rejections. It is believed that a full and complete response has been made to the outstanding Office Action and the present application is in condition for allowance. Thus, prompt and favorable consideration of this amendment is respectfully requested. If the Examiner believes that personal communication will expedite prosecution of this application, the Examiner is invited to telephone the undersigned at (248) 641-1600.

Respectfully submitted,

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